

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Mehmet Sayal et al.

Serial No.: 09/943,223

Filed: August 29, 2001

For: METHOD AND SYSTEM FOR
INTEGRATING WORKFLOW
MANAGEMENT SYSTEMS WITH
BUSINESS-TO-BUSINESS
INTERACTION STANDARDS

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§ Group Art Unit: 2193
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§ Examiner: Khatri, Anil
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§ Atty. Docket: 10010316-1
§ NUHP:0387/BLT
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Sir:

**PRE-APPEAL BRIEF REQUEST FOR REVIEW
PURSUANT TO THE OG NOTICE OF JULY 12, 2005**

In response to the Final Office Action mailed on February 2, 2006, the Applicant respectfully submits this Pre-Appeal Brief Request for Review pursuant to the OG notice of July 12, 2005. This Request is being filed concurrently with a Notice of Appeal.

Claims 1-18 are currently pending. In the Office Action, the Examiner rejected claims 1-18 under 35 U.S.C. § 102(e) as being anticipated by Notani et al. (U.S. Patent No. 6,442,528) ("the Notani reference"). The Applicant, however, respectfully submits that this rejection is clearly improper because the Notani reference does not disclose each and every element recited in the claims.

Rejection Under 35 U.S.C. § 102 of Claims 1, 11, 17 and Claims Depending Therefrom

Anticipation under 35 U.S.C. § 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). Thus, if the claims contain even one recitation not found in the cited reference, the reference does not anticipate the claimed subject matter.

In regard to the Examiner's rejection of independent claim 1, the Applicant respectfully asserts that the Examiner has erroneously rejected claim 1 based on the Notani reference by asserting that Notani discloses the recited features relating to the "business-to-business interaction standard." Final Office Action, page 2. Indeed, the Notani reference does not even mention a business-to-business or B2B interaction standard. To emphasize this deficiency, the portion of the Notani reference cited by the Examiner in the Final Office Action as disclosing these claim features is set forth below:

Improvement of decision support processes involves expansion to provide enterprise level and multi-enterprise level decision support for optimal decision making. Technologically and conceptually, providing enterprise-level and multi-enterprise level decision support differs from providing factory-level and supply-chain-level decision support. The reasons for this can be that, in multi-domain situations (such as business units within an enterprise or multiple enterprises), the different domains often operate different decision support software. Also, in multi-domain situations, one domain generally can not coerce another domain into making a particular decision. In other words, optimal decision support in this environment often needs to be performed in a negotiated, as opposed to coercive, environment.

Notani et al., col. 3, lines 39-52.

The discussion of "decision support" in "multi-domain situations," as set forth above in the cited portion of the reference, does not equate to a business-to-business interaction standard, as recited in claim 1. Further, the Notani reference does not disclose "receiving a description of a business-to-business interaction standard," "converting the description of

business-to-business interaction standard,” and so forth, as presently recited in claim 1.

Accordingly, the Notani reference fails to disclose each and every feature of independent claim 1 and fails to support a *prima facie* case of anticipation under 35 U.S.C. § 102. In view of these deficiencies in the Notani reference, the Notani reference cannot anticipate independent claim 11 and its dependent claims.

Furthermore, the Applicant asserts that the Examiner’s allegation that the Notani reference teaches “automatically generating at least one process *template* based on the structured representation of the business-to-business interaction standard,” as recited in claim 1, is not correct. *See* Final Office Action, page 3. There is no disclosure whatsoever of a *process template* in the Notani reference. On page 3 of the Final Office Action, the Examiner merely points to a discussion of a global collaboration designer (GCD) that is run by a global collaboration manager in the Notani reference as disclosing this feature. *See* Notani et al., col. 6, lines 8-32 and 40-46. The GCD and global collaboration manager have no discernable relationship to the presently recited process template. Therefore, the Applicant asserts that the Examiner has failed to establish a *prima facie* case for anticipation because the Examiner has not identified every element of claim 1 in the cited reference. In view of the arguments set forth above, the Applicant requests withdrawal of the rejection under 35 U.S.C. § 102 of independent claim 1 and its dependent claims. Further, the Applicant requests an indication of allowance for claim 1 and its dependent claims.

The Applicant also asserts that the Examiner additionally erred in rejecting dependent claim 3 based on the Natoni reference. Indeed, claim 3 recites, *inter alia*, “defining all income transitions and all outgoing transitions; and for each transition, defining a source state and a target state.” These features of claim 3 are clearly not present in the Natoni reference. Indeed, the Examiner merely points to a discussion of parametric workflow (i.e., workflow

that is parameterized over some variable and can be regular or distributed) at column 12, lines 10-19 and 42-55 of the Notani reference as disclosing this feature. *See* Office Action Mailed on September 15, 2005, page 4. Accordingly, the Applicant requests withdrawal of the rejection under 35 U.S.C. § 102 of dependent claim 3. Further, the Applicant requests an indication of allowable subject matter in claim 3.

Additionally, the Applicant asserts that the Examiner has incorrectly rejected dependent claim 8 based on the Natoni reference. Specifically, the Examiner stated that the Natoni reference teaches “storing the process templates into a process template repository; wherein the process templates are accessible to a workflow designer; and storing the service templates in a service template repository; wherein the service templates are accessible to a workflow designer,” as recited in claim 8. Regarding these features of claim 8, the Examiner pointed to a discussion relating to designing and deployment of an inter-enterprise workflow in the Natoni reference. *See* Office Action Mailed on September 15, 2005, pages 4-5. There is no discussion whatsoever in the Natoni reference of storing service templates or process templates. Accordingly, the Applicant requests withdrawal of the rejection under 35 U.S.C. § 102 of dependent claim 8. Further, the Applicant respectfully requests an indication of allowable subject matter in claim 8.

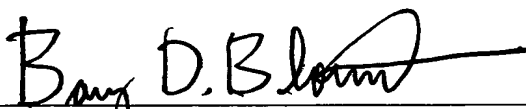
The Examiner has not addressed the subject matter of independent claims 11 and 17 with any specificity. Rather, the Examiner grouped claims 1, 11 and 17 together in an omnibus rejection. As a result, the Examiner failed to directly address certain recitations in claim 17. For example, the Examiner provided no indication of where “a process template repository for storing the business-to-business process templates,” as recited in claim 17 is found in the Natoni reference. It should be noted that, as set forth above with respect to claim 8, on pages 4 and 5 of the Office Action Mailed on September 15, 2005, the Examiner

suggested that a process template repository is disclosed in the Natoni reference. However, the cited portion of the reference merely discusses designing an inter-enterprise workflow that includes parameterization over groups. *See* Natoni et al., col. 13, lines 22-39. There is no discussion of a process template repository. Further, there is no discussion of storing business-to-business process templates. The Applicant asserts that this element of claim 17 is completely missing from the Natoni reference. The Applicant respectfully requests that the rejection of claim 17 and the claim depending therefrom be withdrawn. Further, the Applicant requests an indication of allowance for claim 17 and the claims depending therefrom.

For at least these reasons, the Applicant respectfully requests withdrawal of the rejections under 35 U.S.C. § 102 of independent claims 1, 11, and 17, and the claims respectively depending therefrom. Further, the Applicant respectfully requests an indication of allowance for claims 1, 11, and 17 and the claims respectively depending therefrom.

Respectfully submitted,

Date: April 3, 2006



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